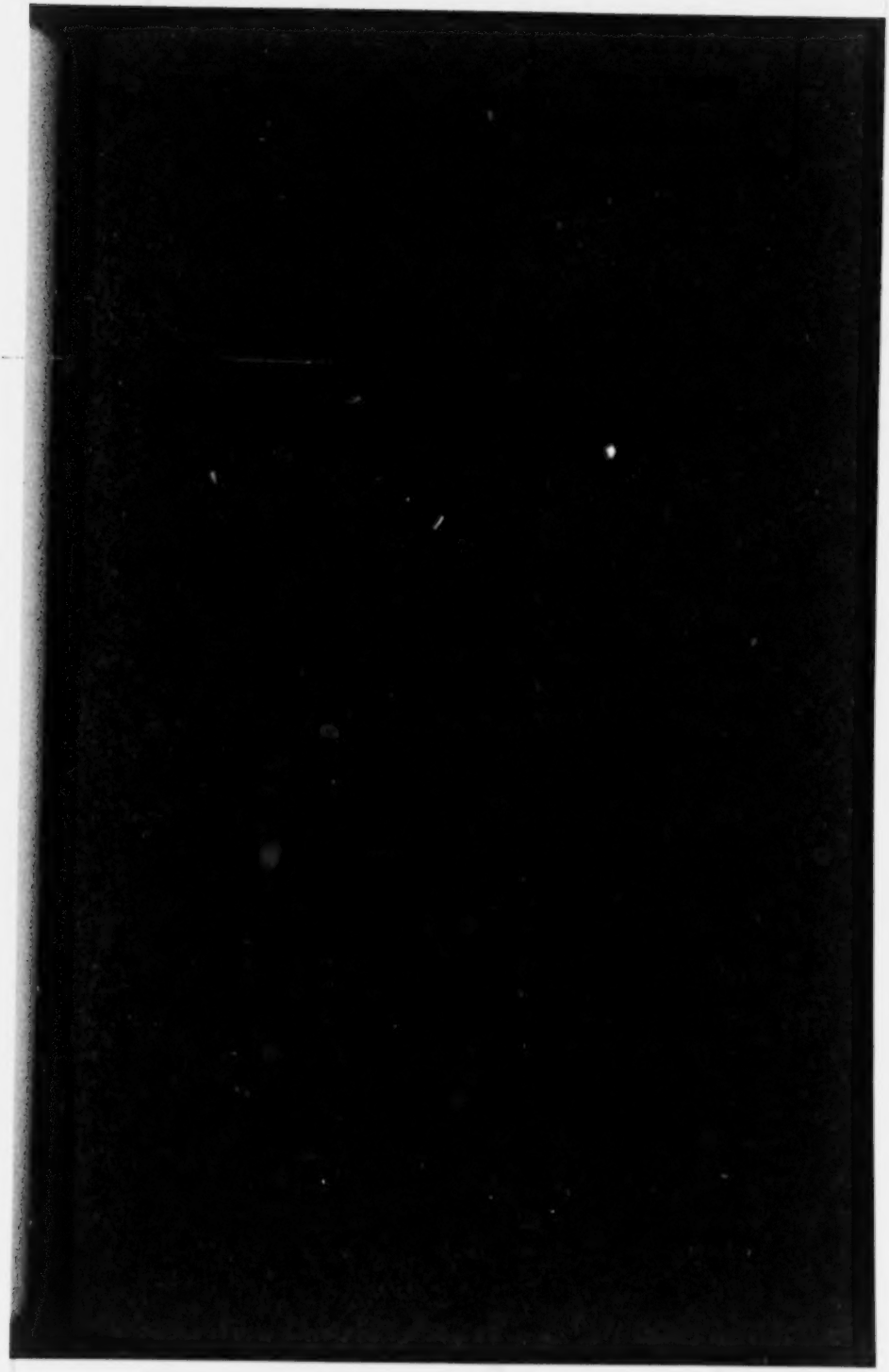

In the Supreme Court of the United States.

OCTOBER TERM, 1918.

EDWARD A. RUMELY, APPELLANT,
v.
THOMAS D. MCCARTHY, UNITED STATES Marshal in and for the Southern District of New York, and Samuel M. Hitchcock, United States Commissioner for the Southern District of New York, appellees.

No. 874.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK.

MOTION ON BEHALF OF APPELLEES TO ADVANCE.

Comes now the Solicitor General on behalf of the appellees, and respectfully moves the advancement of the above-entitled cause for hearing during the present term.

The case is an appeal from an order of the District Court of the United States for the Southern District of New York discharging a writ of habeas corpus brought for the purpose of preventing the removal of the petitioner to the District of Columbia to answer an indictment for violations of the Trading-with-the-Enemy Act, for which removal a warrant had been directed to issue by the New York court.

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Other indictments are pending against the appellant in the Southern District of New York for similar offenses. The judge of the District Court has consented to such removal, notwithstanding the pendency of such indictments, and has ordered the issuance of a warrant of removal.

Depositions in Europe are to be taken by the appellant, which are deferred because of the pendency of this appeal. The trial of the case will, therefore, suffer great delay unless this appeal is disposed of speedily.

Notice of this motion has been served upon opposing counsel.

ALEX. C. KING,
Solicitor General.

MARCH, 1919.

WASHINGTON : GOVERNMENT PRINTING OFFICE : 1919